

Senate Study Bill 3186 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KAPUCIAN)

A BILL FOR

- 1 An Act allowing pickups to be used as school buses.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.373, subsection 3, Code 2018, is
2 amended to read as follows:

3 3. The rules prescribed for school buses shall include
4 special rules for passenger automobiles, and other vehicles
5 designed to carry eight or fewer pupils, when used as school
6 buses. The rules shall allow pickups designed to carry nine
7 passengers or less, including the driver, and weighing ten
8 thousand pounds or less, to be used as school buses.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 Currently, rules of the department of education permit
13 type III vehicles to be used as school buses. Under 281 IAC
14 44.2(5), type III vehicles are not regular school buses but
15 are used to transport students in a school-related context and
16 may be marked as a school bus. A type III vehicle is a van
17 or passenger car, including a minivan, sport utility vehicle,
18 or station wagon. The difference between a family automobile
19 and an equivalent type III vehicle is not the vehicle itself,
20 but rather its use, as type III vehicles are used by schools
21 for purposes of student transportation. To qualify as a type
22 III vehicle, the vehicle must carry a maximum of nine or fewer
23 people, including the driver, and weigh 10,000 pounds or less.
24 Under 281 IAC 44.5(1), vehicles classified as pickups are not
25 allowed to be used for student transportation.

26 This bill requires such rules to allow pickups designed
27 to carry nine passengers or less, including the driver, and
28 weighing ten thousand pounds or less, to be used as school
29 buses. Under Code section 321.1, a pickup is any motor vehicle
30 designed to carry merchandise or freight of any kind, not to
31 exceed 2,000 pounds.

32 Under current law, any person who operates or allows
33 the operation of any vehicle as a school bus which does
34 not comply with the requirements provided by law or by the
35 rules and regulations of the department of education, or

1 for which there is not a valid temporary certificate for
2 operation, is guilty of a simple misdemeanor (Code section
3 285.14). The department of education is required to review
4 all transportation arrangements when deemed necessary, to
5 disapprove any arrangements that are not in conformity with the
6 law and established standards, and to require the arrangements
7 to be altered or changed so that they do conform with the law
8 and established standards (Code section 285.8).

9 Under current law, all type III vehicles are prohibited from
10 carrying more passengers than there are seat belts as installed
11 by the manufacturer (281 IAC 44.5(1)(d)). In addition, trailer
12 hitches are allowed on type III vehicles in accordance with
13 the manufacturer's rated towing capacity, but students are not
14 allowed to be transported in the vehicle when the vehicle is
15 being used to tow (281 IAC 44.5(2)(j)). School bus drivers
16 must be at least 18 years of age on or before August 1 preceding
17 the opening of the school year for which a school bus driver's
18 authorization is required (281 IAC 43.14).